

**ZB# 07-47**

**Peggy Lapidus &  
Dan Koch**

**58-5-1**

ZONING BOARD OF APPEALS  
TOWN OF NEW WINDSOR  
555 UNION AVENUE  
NEW WINDSOR, N.Y. 12553  
Granted 10-22-07

07-47 Hopidus/Koch (Area)  
Lake Rd (58-5-1)

NEW WINDSOR ZONING BOARD OF APPEALS

SBL: 58-5-1

In the Matter of the Application of

MEMORANDUM OF  
DECISION GRANTING

PEGGY LAPIDUS - DAN KOCH

AREA

CASE #07-47

**WHEREAS, Charles Brown, P.E. represented the**, owner(s) of 250 Lake road, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an Request for variance of 4,164 s.f. of minimum lot area for Lot #1 (As referred by Planning Board) located on Lake Road in an R-4 Zone (58-5-1)

**WHEREAS**, a public hearing was held on October 22, 2007 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

**WHEREAS**, the Applicant appeared on behalf of this Application; and

**WHEREAS**, there was one spectator(s) appearing at the public hearing; and

**WHEREAS**, one spoke to ask questions and thereafter expressed no opinion as to whether or not the application should be granted; and

**WHEREAS**, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

**WHEREAS**, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Official Town Newspaper, also as required by law.
2. The Evidence presented by the Applicant showed that:
  - (a) The property is a residential property located in a neighborhood of residential properties in an R-4 zone.
  - (b) This application is made in connection with a proposed two-lot subdivision where one parcel contains an existing single-family residence and the proposed lot will be an allowed use for a single-family residence.

- (c) Although the applicant will remove some trees in constructing the new residence, a substantial portion of the trees on the lot will remain and those that are removed do not appear to have any environmental impact.
- (d) The property will be served by a sewer line that will not interfere with the neighbor's sewer line. The exact location and function of the sewer line will be the subject of Planning Board approval.
- (e) The property contains a creek bordered by trees, which trees will remain on the property.
- (f) The property will be connected to the municipal sewer system but, will be served by well.

**WHEREAS,** The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance(s) will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant that can produce the benefits sought.
3. The variance(s) requested is/are substantial in relation to the Town regulations but, nevertheless, are warranted.
4. The requested variance(s) will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is/are self-created but, nevertheless, should be allowed.
6. The benefit to the Applicant, if the requested variance(s) is/are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance(s) are/is appropriate and are/is the minimum variance(s) necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
8. The interests of justice will be served by allowing the granting of the requested area variance(s).



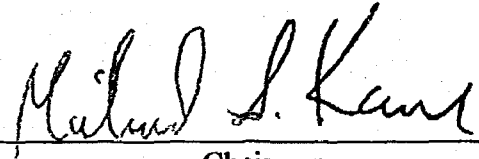
**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Zoning Board of Appeals of the Town of New Windsor GRANT a Request for variance of 4,164 s.f. of minimum lot area for Lot #1 (As referred by Planning Board) located on Lake Road in an R-4 Zone (58-5-1) as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

**BE IT FURTHER**

**RESOLVED**, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and/or Building Inspector and Applicant.

Dated: October 22, 2008

A handwritten signature in dark ink, appearing to read "Michael S. Kane", is written over a horizontal line.

Chairman

**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS  
OFFICE  
845-563-4615**

**MEMORANDUM**

**TO: JACK FINNEGAN, COMPTROLLER**  
**FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD**  
**DATE: 12-28-07**  
**SUBJECT: ESCROW REFUND**

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 144.15 TO CLOSE OUT  
ESCROW FOR:**

**ZBA FILE #07-47**

**NAME & ADDRESS:**

**Peggy Lapidus  
100 Waterview Terrace  
New Windsor, NY 12553**

**THANK YOU,**

**MYRA**

**J.F.12-28-07**



**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS  
RECORD OF CHARGES & PAYMENTS**



FILE #07-47      TYPE: AREA      TELEPHONE: 496-0216

**APPLICANT:**

Peggy Lapidus  
100 Waterview Terrace  
New Windsor, NY 12553

RESIDENTIAL:	\$ 50.00	CHECK # <u>1333</u>
COMMERCIAL	\$ 150.00	CHECK # _____
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW:      RESIDENTIAL \$300.00      CHECK # 1328



<u>DISBURSEMENTS:</u>		<u>MINUTES</u> \$7.00 / PAGE	<u>ATTORNEY</u> FEE
-----------------------	--	---------------------------------	------------------------

PRELIMINARY:	<u>3</u>	PAGES	\$ <u>21.00</u>	\$ <u>35.00</u>
2 <sup>ND</sup> PRELIMINARY:	—	PAGES	\$ _____	\$ _____
PUBLIC HEARING:	<u>7</u>	PAGES	\$ <u>49.00</u>	\$ <u>35.00</u>
PUBLIC HEARING:	—	PAGES	\$ _____	\$ _____

LEGAL AD: Publish Date: 10-12-07      \$ 15.85

TOTAL:      \$ 85.85      \$ 70.00



ESCROW POSTED:      \$ 300.00  
LESS: DISBURSEMENTS:      \$ 155.85

AMOUNT DUE:      \$ \_\_\_\_\_

REFUND DUE:      \$ 144.15

Cc:

J.F. 12-28-07

October 22, 2007

40

LAPIDUS/KOCH\_(07-57)

MR. KANE: Request for variance of 4,164 square foot of minimum lot area for lot #1 as referred by Planning Board located on Lake Road.

Mr. Charles Brown appeared before the board for this proposal.

MR. BROWN: I'm Charles Brown, I'm here for the applicant. Proposal is for a 2 lot subdivision, parcel contains existing single family residence. We meet all the criteria including net area except for gross area for the proposed lot containing the existing residence. This is an in-family subdivision, the applicant's brother owns the property and the purpose of this subdivision is such that the applicant, Peggy Lapidus, can build herself a residence on this lot.

MR. KANE: And the existing home will stay on lot 1?

MR. BROWN: Correct.

MR. KANE: Which is the one that needs the variance?

MR. BROWN: Correct.

MS. LOCEY: And the second lot meets all the criteria?

MR. BROWN: Correct.

MS. GANN: Using the same driveway?

MR. BROWN: We would use--

MR. KANE: No.

MR. BROWN: Actually, no.

MR. TORPEY: Looks like a little bridge there.

MR. BROWN: There's a culvert just to the north.

MR. KANE: The existing unpaved driveway that runs in lot number 2, is that the driveway that goes to that house on lot 1?

MR. BROWN: Right.

MR. KANE: Will there be an easement on that driveway?

MR. BROWN: There's an easement for that driveway across lot 2, right.

MR. KANE: Okay, at this point what we'll do is we'll open it up for the public, since it's all that's left and ask you for any comments that you have or any questions that you have. Please state your name and address so this young lady can hear you and get it on record.

MS. BOWIE: My name is Lynn Bowe, 262 Lake Road. We're on Beaver Dam Lake so I have some concerns, I guess the trees, I've heard you asking questions tonight about substantial tree removal or brush removal. I guess that's my concern because now the home will be in our view.

MS. LAPIDUS: We're leaving as many trees as we can.

MS. BOWE: I figured Dan would be doing that. The other question concerns the sewer easement that I have on my property so I guess I was curious where the sewer line would be running and does it affect the sewer lines on my property at 262?

MR. BROWN: It wouldn't affect that, the sewer line for the proposed residence that would have to be approved by the planning board. This is again one step of the process. After this, we go before the planning board

and that's when the technical issues would be addressed as far as servicing the residence for sewer and water and whatnot. There are, it's not a heavily wooded parcel, there are several large trees.

MS. BOWE: I guess the trees along the creek?

MR. BROWN: They would remain.

MS. BOWE: The property seems to contain the creek.

MR. BROWN: Correct.

MS. BOWE: There's also, I don't think the flood plain is an issue because we're above so that's not going to cause any water issues, I guess trees on either side of the creek was my concern, the house is closer to the creek.

MR. TORPEY: But that's the planning board, this is just for lot size.

MS. BOWE: Okay, so my question--

MR. KANE: Certain things are out of our realm.

MR. BROWN: We'll get another public hearing at the planning board.

MR. KRIEGER: So that you understand the process if he receives a variance here, they still have to appear in front of the planning board for approval of the two lot subdivision. It's at the planning board that questions involving sewer and so forth, specific questions will be addressed. So this isn't the, regardless of the action of this board it isn't his last step.

MR. KANE: Basically, it comes down to keep it really simple, this board decides if they're allowed to do it and the planning board decides how they do it.

MS. BOWE: Myra and I talked today so I was told this was the time to ask questions.

MR. KANE: Certain ones but the ones you're asking are in their realm.

MS. BOWE: So there's still another step?

MR. KANE: You're maintaining the trees around the brook?

MR. BROWN: Trees along the brook will remain.

MR. BABCOCK: They're going to drill a well, there's no town water.

MR. KANE: They're going to hook up to the town sewer.

MR. BABCOCK: We will not give them a permit unless they do hook up, they'll have to drill a well, they're going to have to give us the well test to certify to us that it is adequate water and good water or they can't occupy the house. Just so you know, you had spoke that the planning board will have a public hearing, that's not necessarily true on a 2 lot subdivision, they can waive that requirement sometimes in instances like this where it's a single-family home within amongst a bunch of other single family homes they do sometimes waive it.

MS. MASON: They usually do.

MS. BOWE: So I'm asking at the right meeting?

MS. LOCEY: It's still not questions that we can answer.

MS. BOWE: Would they ever cut across the creek with a sewer line or across county property?

MR. KANE: No.

MS. BOWE: Then that clears up the sewer issue in my mind.

MR. BROWN: Write a letter to the planning board and ask that they do hold public hearing for this application as part of their action.

MR. KRIEGER: At least ask that they address your concerns.

MS. BOWE: Unless I'm comfortable, I know Dan, I've met Dan.

MR. BABCOCK: You should really go talk, as I said before that they cannot get a building permit unless they get a sewer permit, they've got to show us where they're going to tie into the sewer or else they cannot do it. They have to drill a well, they have to supply us with the well test of the water and the quality of the water and the amount of water. And as far as the stream, they're going to have to do any, to do anything to that stream they're going to have to get all kinds of approvals from us, from highway.

MS. BOWE: That was my impression, I guess I just had to be sure, it is the lake, it's the view, it's, I mean, I used to think I could look around and nothing would develop. So this was a surprise. Okay, that was it, aesthetics was my concern.

MR. KANE: Other than that, any opinion on the project?

MS. BOWE: No, no, we just, that was the only thing. You guys are aware of the driveway it's on a tough turn?

MR. BABCOCK: He's going to have to get a driveway



permit that has to get approved by the highway superintendent before we give him a building permit.

MR. KANE: From the looks of it the same entrance is, from the looks of this map right here the same entrance they're going to be right next to each other.

MR. BABCOCK: There's no doubt that the highway superintendent has seen this, that's probably why he has an easement over lot 1 or 2, whatever the numbers are, so the driveway is coming in at the same spot.

MS. BOWE: This is a tough spot, you can't even walk on the road safely, so it's getting out of the driveway it's obvious that it's an issue, okay.

MR. KANE: Thank you. Anybody else for this particular hearing? At this point then we'll close the public portion of the meeting, bring it back to the board, ask Myra how many mailings.

MS. MASON: On October 9, I mailed out 49 addressed envelopes and had no response.

MR. KANE: Bring it back to the board for further questions?

MS. LOCEY: No questions.

MR. KANE: I'll accept a motion.

MS. LOCEY: I will offer a motion to grant the requested variance on the application of Lapidus/Koch as detailed on the Zoning Board of Appeals agenda dated October 22, 2007.

MS. GANN: I'll second the motion.

ROLL CALL

October 22, 2007

46

MS. GANN	AYE
MS. LOCEY	AYE
MR. TORPEY	AYE
MR. KANE	AYE

MR. KANE: We do have a meeting on November 5. Motion to adjourn?

MS. GANN: So moved.

MS. LOCEY: Second it.

ROLL CALL

MS. GANN	AYE
MS. LOCEY	AYE
MR. TORPEY	AYE
MR. KANE	AYE

Respectfully Submitted By:

Frances Roth  
Stenographer

**PUBLIC HEARING NOTICE**  
**ZONING BOARD OF APPEALS**  
**TOWN OF NEW WINDSOR**  
PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

Appeal No. (07-47)

Request of LAPIDUS/KOCH

for a VARIANCE of the Zoning Local Law to Permit:

Request for variance of 4,164 s.f. of minimum lot area for Lot #1 (As referred by Planning Board) located on Lake Road in an R-4 Zone (58-5-1)

PUBLIC HEARING will take place on OCTOBER 22, 2007

at the  
New Windsor Town Hall  
555 Union Avenue  
New Windsor, New York  
beginning at 7:30 P.M.

Michael Kane, Chairman

State of New York

County of Orange, ss:

Kathleen O'Brien being duly sworn disposes and says that she is the Supervisor of Legal Dept. of the E.W. Smith Publishing Company, Inc., Publisher of The Sentinel, a weekly newspaper published and of general circulation in the Town of New Windsor, Town of Newburgh and City of Newburgh and that the notice of which the annexed is a true copy was published in said newspaper, 1 time (s) commencing on the 12th day of Oct. A.D., 2007 and ending on the 12th day of Oct. A.D. 2007

Kathleen O'Brien

Subscribed and shown to before me this 23<sup>rd</sup> day of Oct, 2007.

Deborah Green

Notary Public of the State of New York  
County of Orange.

DEBORAH GREEN  
Notary Public, State of New York  
Qualified in Orange County  
#4984065

My commission expires Commission Expires July 15, 2011

15.85



RESULTS OF Z.B.A. MEETING OF: October 2, 2007

PROJECT: Lapidus / Koch Subdivision ZBA # 07-57  
P.B.# \_\_\_\_\_



USE VARIANCE: \_\_\_\_\_ NEED: EAF \_\_\_\_\_ PROXY \_\_\_\_\_

LEAD AGENCY: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LUNDSTROM \_\_\_\_\_  
LOCEY \_\_\_\_\_  
TORPEY \_\_\_\_\_  
KANE \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

PUBLIC HEARING: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LUNDSTROM \_\_\_\_\_  
LOCEY \_\_\_\_\_  
TORPEY \_\_\_\_\_  
KANE \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

NEGATIVE DEC: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LUNDSTROM \_\_\_\_\_  
LOCEY \_\_\_\_\_  
TORPEY \_\_\_\_\_  
KANE \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

APPROVED: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LUNDSTROM \_\_\_\_\_  
LOCEY \_\_\_\_\_  
TORPEY \_\_\_\_\_  
KANE \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

**ALL VARIANCES - PRELIMINARY APPEARANCE:**

SCHEDULE PUBLIC HEARING: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LUNDSTROM \_\_\_\_\_  
LOCEY \_\_\_\_\_  
TORPEY \_\_\_\_\_  
KANE \_\_\_\_\_

CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

PUBLIC HEARING: \_\_\_\_\_ STATEMENT OF MAILING READ INTO MINUTES ☒  
VARIANCE APPROVED: M) Lo S) G VOTE: A 4 N 0.

GANN A  
~~LUNDSTROM~~ A  
LOCEY A  
TORPEY A  
KANE A

CARRIED: Y ☒ N \_\_\_\_\_

Lynx Bowie - Lake Rd. - Spoke re: tree removal

**ZONING BOARD OF APPEALS: TOWN OF NEW WINDSOR  
COUNTY OF ORANGE: STATE OF NEW YORK**

# LAPIDUS / KOCH

**#07-47**

# X

STATE OF NEW YORK )  
 ) SS:  
COUNTY OF ORANGE )


That I am not a party to the action, am over 18 years of age and reside at 131 Mt. Airy Road, New Windsor, NY 12553.

That on the 9TH day of OCTOBER, 2007, I compared the 49 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor's Office regarding the above application for a variance and I find that the addresses are identical to the list received. I then placed the envelopes in a U.S. Depository within the Town of New Windsor.

Sworn to before me this

Myra Mason  
Myra L. Mason, Secretary

10<sup>th</sup> day of October, 2007

  
Notary Public

**JENNIFER GALLAGHER**  
Notary Public, State of New York  
No. 01GA6050024  
Qualified in Orange County  
Commission Expires 10/30/10



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4631  
Fax: (845) 563-3101  
J. Todd Wiley, IAO

## Assessor's Office

September 21, 2007

Peggy Lapidus  
100 Waterview Terrace  
New Windsor, NY 12553

Re: 58-5-1 ZBA#07-47 (49)

Dear Ms. Lapidus:

According to our records, the attached list of property owners are within five hundred (500) feet of the above-referenced property.

The charge for this service is \$65.00, minus your deposit of \$25.00.

Please remit the balance of \$40.00 to the Town Clerk's Office.

Sincerely,

J. Todd Wiley, IAO  
Sole Assessor

JTW/lrd  
Attachments

CC: Myra Mason, ZBA

57-2-1 & 58-5-2

Beaver Dam Lake Protection & Rehab Dist.  
C/o Department of Public Works  
Route 17M, PO Box 509  
Goshen, NY 10924

58-4-4

Eric & Kristin Papula  
260 Lake Road  
Salisbury Mills, NY 12577

58-6-4

Albert & Linda Strohl  
8 Park Road  
Salisbury Mills, NY 12577

58-1-8 & 58-1-10

Kathleen & Lawrence Rossini  
319 Hickory Avenue  
New Windsor, NY 12553

58-4-5.1

James III & Robin Rashford  
10 Beaver Brook Road  
New Windsor, NY 12553

58-6-5

William & Marie Castellane  
PO Box 165  
Salisbury Mills, NY 12577

58-1-9

Michael & Lisa Hall  
2 Mecca Drive  
Salisbury Mills, NY 12577

58-4-5.2

Daniel & Eileen Schug  
14 Beaver Brook Road  
New Windsor, NY 12553

58-6-6.1

William & Doreen Diemer  
5 Mecca Drive  
Salisbury Mills, NY 12577

58-1-20

Brian & Alice Donohue  
7 Park Road  
Salisbury Mills, NY 12577

58-4-6

Mary DeMatte  
Alfred Ostrander  
20 Beaver Brook Road  
New Windsor, NY 12553

58-6-7

Jacob & Carol Krigstein  
1634 Mogul Drive  
Mohegan Lake, NY 10547

58-1-21

Sean & Amy Camo  
5 Park Road  
Salisbury Mills, NY 12577

58-4-7.11

Matthew Kuriplach  
28 Beaver Brook Road  
New Windsor, NY 12553

59-1-8

State of NY-Office of the Comptroller  
Bureau of Financial Administration  
5<sup>th</sup> Floor, A E Smith Building  
Albany, NY 12236

58-1-22

Craig Filippini  
Brooke Ferrer  
3 Park Road  
Salisbury Mills, NY 12577

58-4-7.12 & 58-4-7.13

Dominick & Bernadine Forte  
143 Harold Avenue  
Cornwall, NY 12518

59-1-9

Josephine & Guy Osmer  
16 Hillcrest Drive  
Salisbury Mills, NY 12577

58-1-23

Raymond & Annette Filippini  
PO Box 187  
Salisbury Mills, NY 12577

58-4-9

Irene Mroz  
75 Lake Side Drive  
New Windsor, NY 12553

59-1-10

William & Helen Adams  
39 Donna Lane  
Wallkill, NY 12589

58-4-1

Anthony & Susan Hilinski  
2 Beaver Brook Road  
New Windsor, NY 12553

58-6-1.1

Joseph Nunes  
Teresa Baker-Nunes  
4 Park Road  
Salisbury Mills, NY 12577

59-1-11

Margaret Obermeier  
12 Hillcrest Drive  
Salisbury Mills, NY 12577

58-4-2

Carol Fox  
30 Surry Lane  
Plainview, NY 11803

58-6-1.2

Alexander & Natalie Bar  
PO Box 239  
Cornwall, NY 12518

59-2-1

Albert & Athena Nasta  
22 Rick Drive  
New Windsor, NY 12553

58-4-3

Bruce Blackman  
Lynn Bowe-Blackman  
262 Lake Road  
Salisbury Mills, NY 12577

58-6-3

Patrick & Deborah Tuohy  
10 Park Road  
Salisbury Mills, NY 12577

59-2-2

Gary & Star Walters  
6 Hillcrest Drive  
Salisbury Mills, NY 12577

59-2-3.1 & 60-1-1  
County of Orange F/B/O Beaver Dam Lake  
Protection and Rehabilitation District  
265 Main Street  
Goshen, NY 10924

59-2-12  
Rita Miller  
C/o Stoveland  
3 Austin Court  
Monroe, NY 10950

59-2-3.2  
Robert Delgado Jr.  
211 Lake Road  
Salisbury Mills, NY 12577

59-2-13  
Joseph & Sharleen Wunderlich  
50 Valley Drive  
Salisbury Mills, NY 12577

59-2-3.3  
Thomas & Patricia Larke  
221 Lake Road  
Salisbury Mills, NY 12577

59-2-33  
Lorraine Astrab  
2 Amelia Court  
Salisbury Mills, NY 12577

59-2-4  
Andrew Lelo  
5 Hillcrest Drive  
Salisbury Mills, NY 12577

59-2-34  
Cynthia Weiss  
Joseph Olivo  
4 Amelia Court  
Salisbury Mills, NY 12577

59-2-5.2  
Robert Witt  
7 Hillcrest Drive  
Salisbury Mills, NY 12577

59-2-35  
Timothy & Mary Tabala  
6 Amelia Court  
Salisbury Mills, NY 12577

59-2-6.1  
Doreen & Salvatore LoSauro  
9 Hillcrest Drive  
Salisbury Mills, NY 12577

59-2-36  
Robert & Theresa Gesten  
3 Amelia Court  
Salisbury Mills, NY 12577

59-2-7  
Michael LeBrecht  
Cynthia Goodwin  
13 Hillcrest Drive  
Salisbury Mills, NY 12577

59-2-37  
Phillip & Karen Piracci  
1 Amelia Court  
Salisbury Mills, NY 12577

59-2-8  
Joseph & Annette Capone  
15 Hillcrest Drive  
Salisbury Mills, NY 12577

60-1-2  
Natalia Frid  
65 Lake Side Drive  
New Windsor, NY 12553

59-2-9  
Lorenza Robles  
17 Hillcrest Drive  
Salisbury Mills, NY 12577

60-1-3  
Gregory & Ramona Agresti  
57 Lake Side Drive  
New Windsor, NY 12553

59-2-10  
Antrim Associates  
44 Station Road  
Salisbury Mills, NY 12577



**PUBLIC HEARING NOTICE**  
**ZONING BOARD OF APPEALS**  
**TOWN OF NEW WINDSOR**

**PLEASE TAKE NOTICE** that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

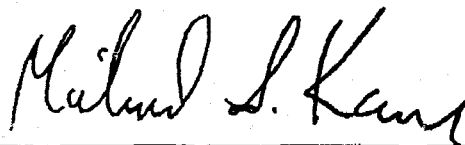
**Appeal No. (07-47)**

**Request of LAPIDUS/KOCH**

**for a VARIANCE of the Zoning Local Law to Permit:**

**Request for variance of 4,164 s.f. of minimum lot area for Lot #1 (As referred by Planning Board) located on Lake Road in an R-4 Zone (58-5-1)**

**PUBLIC HEARING will take place on OCTOBER 22, 2007**  
**at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York**  
**beginning at 7:30 P.M.**



---

**Michael Kane, Chairman**

August 27, 2007

3

PRELIMINARY MEETINGS

LAPIDUS/KOCH (07-57)

Mr. Charles Brown appeared before the board for this proposal.

MR. KANE: Request for variance of 4,164 square foot of minimum lot area for lot number 1 as referred by planning board located on Lake Road, R-4 zone. Just speak loud enough for this young lady over here to hear you.

MR. BROWN: Charles Brown, Tectonic Design, 3125 Route 9W, New Windsor. I'm the engineer for the applicant. The proposal is a 2 lot subdivision of an existing 1.9 acre parcel. The applicant is the sister of the owner of the property. And the purpose of the subdivision is to create a building lot for her so that she can build herself a house. She's downsizing because the existing house that she has is too large.

MR. LUNDSTROM: Do we have a proxy on file?

MR. KANE: We'd need that for the public hearing.

MR. BABCOCK: I'm sure we do have it.

MR. BROWN: Should have been submitted. If not, I'll make sure that it is. The variance requested is for the gross lot area of the lot containing an existing residence, all other provisions within the zone are met including the net area for both lots and that's about it. We also are under the buildable area for the existing residence, I'm not sure if we need a variance for that existing residence which is shy of the 1,200 square foot so I don't know if a variance is required for that because it's existing.

MR. BABCOCK: No, I'm sure that house is built before

August 27, 2007

4

'66.

MR. BROWN: That house is ancient.

MR. KANE: It predates zoning. At some point it may come up, you know, with the home with a bank if it was sold or refinanced, they'd want to get that done but I don't think that's anything we have to consider right here.

MR. BABCOCK: No. There is a proxy on file, Mr. Chairman.

MR. KANE: Okay, yeah, I don't think we have to address that right here. Again, unless you want to put that in you can clear that if the homeowner wants to clear that up now.

MS. LAPIDUS: That's not necessary.

MR. LUNDSTROM: Can you show us on the plot plan which is the existing house and which is the new proposed house, taking the one that's there so everybody can benefit?

MR. BROWN: The existing house is the one that's hatched and the proposed house is right there.

MR. LUNDSTROM: Okay.

MR. KANE: Cutting down any substantial vegetation, trees in the building of this?

MR. BROWN: No, it's actually mostly lawn, meadow, there are a few large trees which would be maintained.

MR. KANE: Create water hazards or runoffs?

MR. BROWN: No.

August 27, 2007

5

MR. KANE: Any easements coming through the area?

MR. BROWN: We'd be creating a common area driveway easement as part of the subdivision.

MR. KANE: So when all is said and done one lot, lot number 2 is going to be just above the required minimum lot area and lot number 1 is going to be 4,000 square feet short?

MR. BROWN: Correct.

MR. KANE: Less than 10%.

MR. BROWN: Correct.

MR. KANE: I have no further questions at this point. Any further questions from the board at this point? I'll accept a motion.

MS. LOCEY: I'll offer a motion to schedule a public hearing on the application of Lapidus/Koch as detailed in the agenda of the Zoning Board of Appeals meeting dated August 27, 2007.

MS. GANN: I'll second the motion.

ROLL CALL

MS. GANN	AYE
MR. LUNDSTROM	AYE
MS. LOCEY	AYE
MR. TORPEY	AYE
MR. KANE	AYE

**TOWN OF NEW WINDSOR**  
**ZONING BOARD OF APPEALS**  
**RECEIPT OF ESCROW RECEIVED:**

DATE RECEIVED: 09-04-07

FOR: 07-47 ESCROW

FROM:  
Peggy Lapidus  
100 Waterview Terrace  
New Windsor, NY 12553

CHECK FROM:  
SAME

CHECK NUMBER: 1328

TELEPHONE: 496-0216

AMOUNT: 300.00

RECEIVED AT COMPTROLLER'S OFFICE BY:

J. Henne 9-19-07  
NAME DATE

207 #07-47 ESCROW

PEGGY LAPIDUS 100 WATERVIEW TERRACE NEW WINDSOR, NY 12553 (845) 496-0216		HUDSON VALLEY FEDERAL CREDIT UNION 159 BARNEGAT ROAD POUGHKEEPSIE, NY 12601 50-7936/2219	1328
PAY TO THE ORDER OF	Town Of New Windsor	Date 5/30/2007	
Three Hundred and 00/100		\$ **300.00	
		DOLLARS	

Security features. Details on back.

Memo escrow 250 lake rd

Peggy Lapidus

1:2219793631:00000028315900\*1328

**Town of New Windsor**  
555 Union Avenue  
New Windsor, NY 12553  
(845) 563-4611

**RECEIPT**  
**#721-2007**

09/19/2007

Lapidus, Peggy

Received \$ 50.00 for Zoning Board Fees, on 09/19/2007. Thank you for  
stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

**Deborah Green**  
Town Clerk

ZBA - #07-47 Application Fee

**TOWN OF NEW WINDS**  
**REQUEST FOR NOTIFICATION LIST**

CHECKED BY MYRA: 09-18-07

DATE: 09-18-07 PROJECT NUMBER: ZBA# 07-47 P.B. # \_\_\_\_\_

APPLICANT NAME: PEGGY LAPIDUS

PERSON TO NOTIFY TO PICK UP LIST:

Peggy Lapidus  
100 Waterview Terrace  
New Windsor, NY 12553

TELEPHONE: 496-0216

TAX MAP NUMBER: SEC. 58 B LOCK 5 LOT 1  
SEC. \_\_\_\_\_ BLOCK \_\_\_\_\_ LOT \_\_\_\_\_  
SEC. \_\_\_\_\_ B LOCK \_\_\_\_\_ LOT \_\_\_\_\_

PROPERTY LOCATION: 250 LAKE ROAD  
NEW WINDSOR

LIST OF PROPERTY OWNERS WITHIN 500 FT. FOR SITE PLANS/SUBDIVISION \_\_\_\_\_  
(IS NOT PREPARED ON LABELS)

❖ ❖

THIS LIST IS BEING REQUESTED BY:

NEW WINDSOR PLANNING BOARD: \_\_\_\_\_

SITE PLAN OR SUBDIVISION: (ABUTTING AND ACROSS ANY STREET) \_\_\_\_\_

SPECIAL PERMIT ONLY: (ANYONE WITHIN 500 FEET) \_\_\_\_\_

AGRICULTURAL DISTRICT:  
(ANYONE WITHIN THE AG DISTRICT WHICH IS WITHIN 500'  
OF SITE PLAN OR SUBDIVISION PROJECT) \_\_\_\_\_

❖ ❖

NEW WINDSOR ZONING BOARD XXX

LIST WILL CONSIST OF ALL PROPERTY WITHIN 500 FEET OF PROJECT XXX

❖ ❖

AMOUNT OF DEPOSIT: 25.00 CHECK NUMBER: 1329

TOTAL CHARGES: \_\_\_\_\_



RESULTS OF Z.B.A. MEETING OF: 8-27-0

PROJECT: LAPIDUS/KOCH ZBA # 07-57  
P.B.# \_\_\_\_\_

**P.B.#** \_\_\_\_\_

**USE VARIANCE:**      **NEED: EAF** \_\_\_\_\_ **PROXY** \_\_\_\_\_

LEAD AGENCY: M)\_\_\_\_\_S)\_\_\_\_\_ VOTE: A\_\_\_\_N\_\_\_\_

GANN \_\_\_\_\_  
LUNDSTROM \_\_\_\_\_  
LOCEY \_\_\_\_\_  
TORPEY \_\_\_\_\_  
KANE \_\_\_\_\_

CARRIED: Y\_\_\_\_N\_\_\_\_

PUBLIC HEARING: M) LO S) GA VOTE: A \_\_\_ N \_\_\_

GANN \_\_\_\_\_  
LUNDSTROM \_\_\_\_\_  
LOCEY \_\_\_\_\_  
TORPEY \_\_\_\_\_  
KANE \_\_\_\_\_

CARRIED: Y 5 N \_\_\_\_\_

NEGATIVE DEC: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LUNDSTROM \_\_\_\_\_  
LOCEY \_\_\_\_\_  
TORPEY \_\_\_\_\_  
KANE \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

APPROVED: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LUNDSTROM \_\_\_\_\_  
LOCEY \_\_\_\_\_  
TORPEY \_\_\_\_\_  
KANE \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

**ALL VARIANCES - PRELIMINARY APPEARANCE:**

**SCHEDULE PUBLIC HEARING:** M)\_\_\_ S)\_\_\_ VOTE: A\_\_\_ N\_\_\_

GANN \_\_\_\_\_  
LUNDSTROM \_\_\_\_\_  
LOCEY \_\_\_\_\_  
TORPEY \_\_\_\_\_  
KANE \_\_\_\_\_

CARRIED: Y\_\_\_\_\_ N\_\_\_\_\_

**PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES**

**VARIANCE APPROVED:** M)\_\_\_ S)\_\_\_ VOTE: A\_\_\_ N\_\_\_.

**GANN** \_\_\_\_\_  
**LUNDSTROM** \_\_\_\_\_  
**LOCEY** \_\_\_\_\_  
**TORPEY** \_\_\_\_\_  
**KANE** \_\_\_\_\_

**CARRIED: Y\_\_\_\_\_N\_\_\_\_\_.**

[illegible]





# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553-6196  
Telephone: (845) 563-4618  
Fax: (845) 563-4695

## Office of the Building Inspector

DATE: May 3, 2006

TO: Daniel Koch  
C/O Peggy Lapidus  
100 Waterview Terrace  
New Windsor, NY 12553

SUBJECT: BUILDING PERMIT APPLICATIONS FOR: Subdivision to create (1) new lot

Dear Applicant:

We have reviewed your Application for Building Permit submitted to our office on [redacted]. It has been determined that the project described in this application needs Town of New Windsor Planning Board approval.

We are enclosing a copy of the Referral Tracking Sheet showing the reference number to be used to make an appointment with the Planning Board. Please contact Myra Mason, Monday-Friday, 8:30 to 4:30, at (845) 563-4615 to make an appointment with the Planning Board and please have the Tracking Sheet available when you call for an appointment.

We will keep your Building Permit Application "pending" until Planning Board approval has been received. At that time, we will continue our review of your project.

### PLEASE NOTE:

**APPOINTMENTS FOR THE PLANNING BOARD WILL NOT BE MADE WITHOUT THE TRACKING SHEET NUMBER.**

Very truly yours,

Michael Babcock  
Building Inspector

MB: jg  
Cc: Planning Board Office

**BEARING BASIS**

NORTH ORIENTATION IS BASED ON DATUM ESTABLISHED FROM FILED MAP OR DEED OF RECORD

**DEED OF RECORD**

BEING LIBER 4739 PAGE 235, FILED WITH OFFICE OF THE ORANGE COUNTY CLERK

**TAX LOT DESIGNATION**

SECTION 58, BLOCK 5, LOT 1, AS SHOWN ON THE TOWN OF NEW WINDSOR TAX MAPS

**GENERAL MAP NOTES**

1. THIS SURVEY IS SUBJECT TO ANY RECORDED AND/OR UNRECORDED COVENANTS, RESTRICTIONS, EASEMENTS, RIGHT-OF-WAYS, AND AGREEMENTS, IF ANY.
2. UNLESS ILLUSTRATED AND NOTED BY A POINT OF REFERENCE, UNDERGROUND IMPROVEMENTS OR ENCROACHMENTS, IF ANY, ARE NOT SHOWN HEREON.
3. ALL BUILDING AND IMPROVEMENT OFFSETS SHOWN ARE AT RIGHT ANGLES TO PROPERTY LINES.
4. ALL HEDGES AND GROUND COVER ON THE SITE MAY NOT BE SHOWN ON THIS SURVEY.

**LOT AREA = 1.907 ACRES**

NOTE:  
SUBJECT TO ALL RIGHTS THAT MAY BE IN THE POSSESSION OF THE TOWN OF NEW WINDSOR FOR HIGHWAY PURPOSES TO THAT PORTION OF LAKE ROAD LYING WITHIN THE BOUNDS OF THE PREMISES SHOWN HEREON.

LAND SURVEY PREPARED FOR  
**DANIEL KOCH**  
LOCATED IN THE TOWN OF NEW WINDSOR  
ORANGE COUNTY  
NEW YORK  
SCALE: 1" = 50'  
DECEMBER 21, 2002

SCALE IN FEET  
0 50 100 150

**REVISIONS:**

**CERTIFICATION:**

ANTHONY A. SORACE, P.L.S., DO HEREBY CERTIFY IN MY PROFESSIONAL OPINION, ONLY TO PARTIES LISTED BELOW THAT THIS SURVEY IS THE RESULT OF AN ACTUAL FIELD SURVEY COMPLETED ON DECEMBER 21, 2002 AND COMPLIES WITH EXISTING CODE OF PRACTICE FOR LAND SURVEYS ADOPTED BY THE NEW YORK STATE ASSOCIATION OF LAND SURVEYORS. THIS CERTIFICATION DOESN'T RUN WITH TITLE TO THE LAND AND IS NOT TRANSFERABLE TO ADDITIONAL ENDING INSTITUTIONS OR SUBSEQUENT OWNERS.

- DANIEL KOCH
- FIRST AMERICAN TITLE INSURANCE COMPANY OF NEW YORK
- ELLEN SASS
- ELLEN DALACE

**SURVEY No. 02131**

**SURVEYOR:**

ANTHONY A. SORACE, P.L.S., LIC. No. 50187

LANDS NOW OR FORMERLY  
**COUNTY OF ORANGE**  
LIBER 3667 PAGE 162

LANDS NOW OR FORMERLY  
**BEAVERDAM LAKE**  
**PROTECTION and REHABILITATION**  
**DISTRICT**  
LIBER 4536 PAGE 279

LANDS NOW OR FORMERLY  
**LARKE**  
LIBER 3495 PAGE 31

ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY, MARKED WITH AN ORIGINAL LAND SURVEYOR'S RAISED EMBOSSED SEAL, SHALL BE CONSIDERED TO BE VALID TRUE COPIES.

THE ALTERATION OF THIS SURVEY MAP BY ANYONE OTHER THAN THE ORIGINAL PREPARER IS MISLEADING, CONFUSING AND NOT IN THE GENERAL WELFARE AND BENEFIT OF THE PUBLIC. IT IS A VIOLATION OF SECTION 7209, SUB-DIVISION 2 OF THE NEW YORK STATE EDUCATION LAW.

(845) 496-3367  
**ANTHONY A. SORACE, P.L.S.**  
PROFESSIONAL LAND SURVEYOR  
ROCK TAYLOR, NEW YORK - 12575  
© 2002 BY ANTHONY A. SORACE, P.L.S.

\$50 Town of New Windsor

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS  
IMPORTANT  
YOU CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Low

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be re-inspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and under slab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and percolation test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and there is no fee for this.

MAY 01 2005

FOR OFFICE USE ONLY:

Building Permit # 1220-429

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises Daniel Koch \* contact 845 416-0216  
Address 250 Lake Road New Windsor, NY 12553 Cell (774) 563-0244  
Mailing Address 100 Waterview Terrace New Windsor, NY 12553 Phone # 508 693 5211  
PO Box 416 Tisbury MA 02568 Fax # 508 693 5211

Name of Architect \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

Name of Contractor \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

State whether applicant is owner, lessee, agent, architect, engineer or builder \_\_\_\_\_

If applicant is a corporation, signature of duly authorized officer \_\_\_\_\_

(Name and title of corporate officer)

1. On what street is property located? On the \_\_\_\_\_ side of \_\_\_\_\_  
(N, S, E or W)  
and \_\_\_\_\_ feet from the intersection of \_\_\_\_\_

2. Zone or use district in which premises are situated \_\_\_\_\_ Is property a flood zone? Y \_\_\_\_\_ N \_\_\_\_\_

3. Tax Map Description: Section 58 Block 5 Lot 1

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy \_\_\_\_\_ b. Intended use and occupancy Dwelling on new lot  
Single Family

5. Nature of work (check if applicable) ☐ New Bldg. ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☒ Other

6. Is this a corner lot? yes Subdivision to create (1) New lot

7. Dimensions of entire new construction. Front \_\_\_\_\_ Rear \_\_\_\_\_ Depth \_\_\_\_\_ Height \_\_\_\_\_ No. of stories \_\_\_\_\_

8. If dwelling, number of dwelling units: \_\_\_\_\_ Number of dwelling units on each floor \_\_\_\_\_

Number of bedrooms \_\_\_\_\_ Baths \_\_\_\_\_ Toilets \_\_\_\_\_ Heating Plant: Gas \_\_\_\_\_ Oil \_\_\_\_\_  
Electric/Hot Air \_\_\_\_\_ Hot Water \_\_\_\_\_ If Garage, number of cars \_\_\_\_\_

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use \_\_\_\_\_

10. Estimated cost \_\_\_\_\_ Fee \$50.00

**PLANNING BOARD**

**ZONING BOARD**

**PAID**  
ck # 1210  
\$50

New Windsor Town Hall  
555 Union Avenue  
New Windsor, New York 12553  
(845) 563-4618  
(845) 563-4606 FAX

Fire Map Examined \_\_\_\_\_  
Approved \_\_\_\_\_  
Disapproved \_\_\_\_\_  
Permit No. \_\_\_\_\_

### INSTRUCTIONS

- This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- The work covered by this application may not be commenced before the issuance of a Building Permit.
- Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, place or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

(Signature of Applicant)

(Address of Applicant)

(Owner's Signature)

(Owner's Address)

PLOT PLAN

### NOTE:

Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.

N

See attached  
Survey

W

E

S

GRACE BURNS

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS

550 Town & Ward to indorse

Public

**OFFICE OF THE PLANNING BOARD  
TOWN OF NEW WINDSOR  
ORANGE COUNTY, NY**

**NOTICE OF DISAPPROVAL OF PLANNING BOARD APPLICATION**

PLANNING BOARD FILE NUMBER: 07-20

DATE: 8-6-07

APPLICANT:

**Peggy Lapidus – Dan Koch  
100 Waterview Terrace  
New Windsor, NY 12553**

PLEASE TAKE NOTICE THAT YOUR APPLICATION:

DATED: 6-25-07

FOR: SUBDIVISION

LOCATED AT: East Side Lake Road


ZONE: R-4

DESCRIPTION OF EXISTING SITE: SEC: 58 BLOCK: 5 LOT: 1

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

**Lot Area (gross) for Lot #1**

TOWN OF NEW WINDSOR CODE: Bulk Tables – Section 300-8

  
**Mark J. Edsall, P.E., P.P.**  
**Engineer for the Planning Board**

**NOTICE OF DISAPPROVAL OF PLANNING BOARD APPLICATION - Continued**

**REQUIREMENTS**

P.B. # **07-20**

ZONE: **R-4**

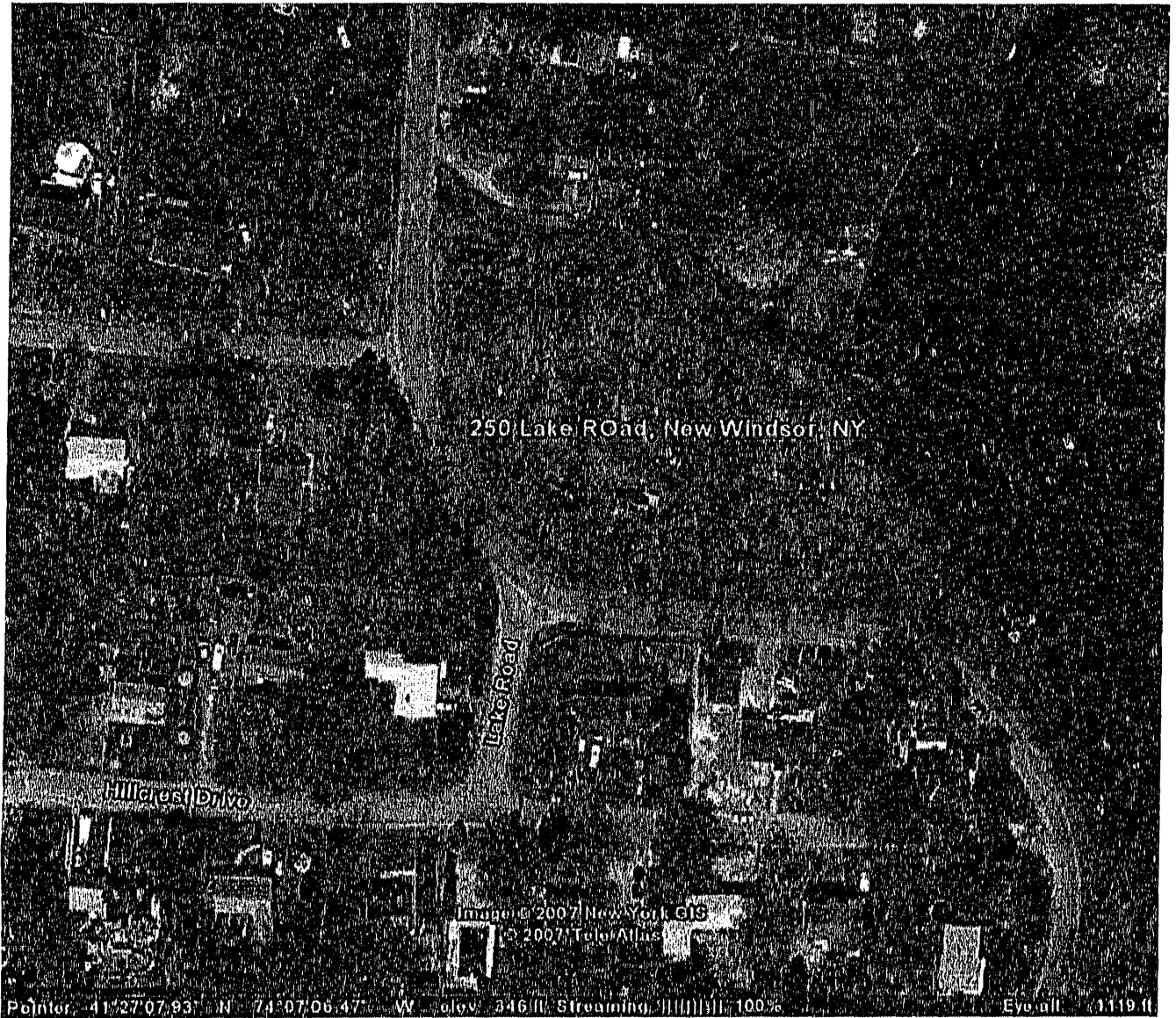
USE: **Single-family residential**

	REQUIRED	PROPOSED Lot 1 / Lot 2	VARIANCE REQUESTED Lot 1 / Lot 2
MIN. LOT AREA (Gross)	43,560 s.f.	39396 / 43660	4164 / -
MIN. LOT AREA (Net)	26,136 s.f.	39396 / 32191	- / -
MIN. LOT WIDTH	125 ft.	136 / 125	- / -
REQUIRED FRONT YARD	45 ft.	47 / 45	- / -
REQUIRED SIDE YARD	20 ft.	47 / 20	- / -
REQUIRED TOTAL SIDE YARD	40 ft.	75 / 40	- / -
REQUIRED REAR YARD	50 ft.	180 / 50	- / -
REQUIRED FRONTAGE	70 ft.	133 / 141	- / -
MAX. BLDG. HT.	35 ft.	35 / 35	- / -
FLOOR AREA RATIO	n/a	-	-
MIN. LIVABLE AREA	1200 s.f.	>1200	- / -
DEVELOPMENTAL COVERAGE	20%	8% / < 20%	- / -
O/S PARKING SPACES	2 spaces/lot	2 per	-

**PLEASE COMPLETE THE ENCLOSED ZONING BOARD APPLICATION AND RETURN TO THE ZONING BOARD SECRETARY AS INSTRUCTED IN THE APPLICATION PACKAGE. YOU WILL THEN BE PLACED ON THE NEXT AVAILABLE AGENDA FOR THE ZONING BOARD OF APPEALS.**

**CC: Z.B.A., APPLICANT, P.B. ENGINEER, P.B. FILE**





250 Lake Road, New Windsor, NY

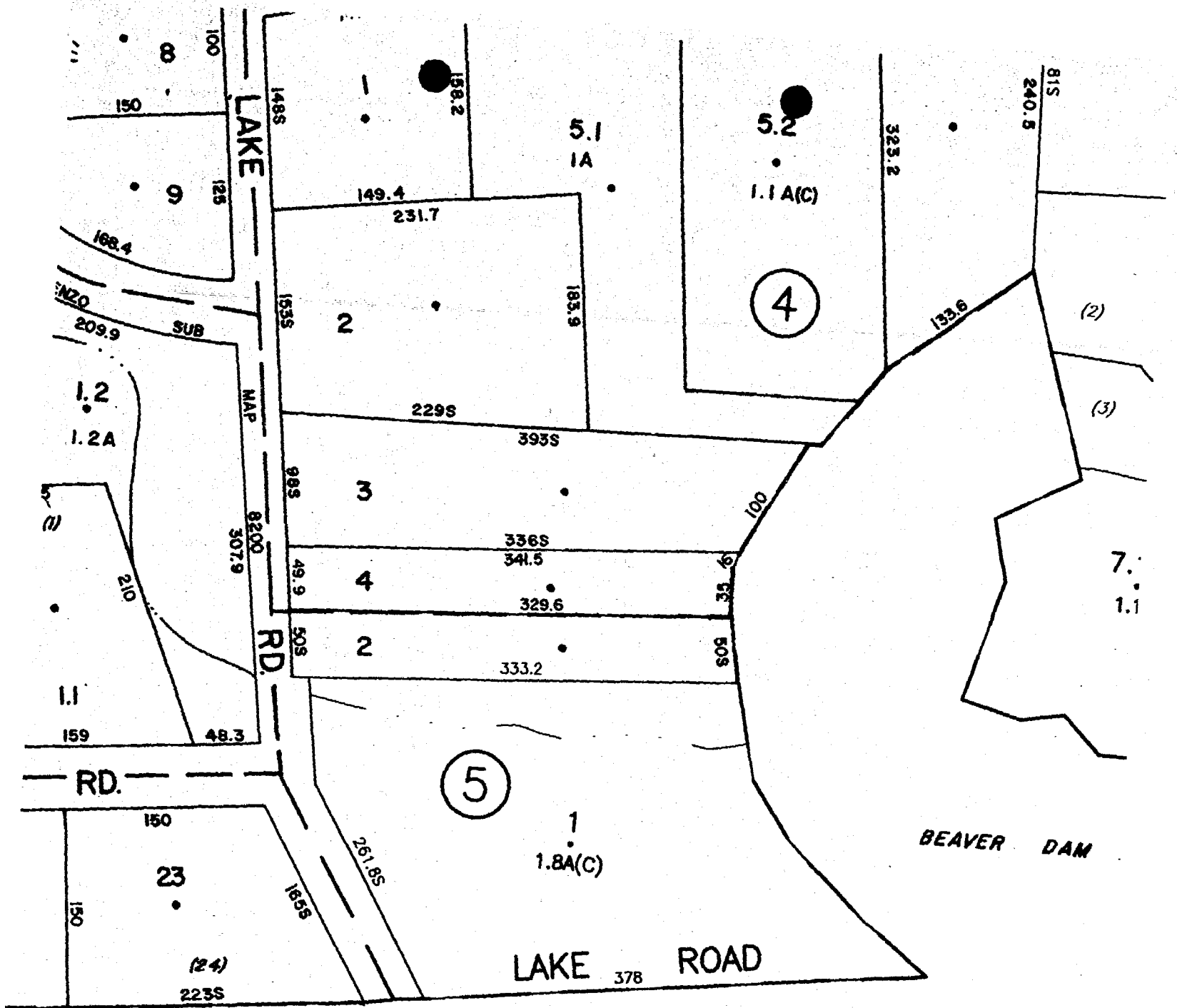
Lake Road

Hillcrest Drive

Image © 2007 New York GIS  
© 2007 Tele Atlas

Pointer: 41°27'07.93" N 74°07'06.47" W elev: 346 ft Streaming: [|||||] 100%

Eye alt: 1119 ft





06261-P64

**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**



**APPLICATION FOR VARIANCE**

08/23/07  
Date

Application Type: Use Variance ☐ Area Variance ☒  
Sign Variance ☐ Interpretation ☐

- I. **Owner Information:** Phone Number: ( )  
Daniel Koch Fax Number: ( )  
(Name)  
Vineyard Haven, MA 02560  
(Address)
- II. **Purchaser or Lessee:** Phone Number: (845) 496-0216  
Peggy Lapidus Fax Number: ( )  
(Name)  
100 Waterview Terrace New Windsor, NY 12553  
(Address)
- III. **Attorney:** Phone Number: ( )  
Fax Number: ( )  
(Name)  
(Address)
- IV. **Contractor/Engineer/Architect/Surveyor/:** Phone Number (845) 569-8400  
Fax Number: ( )  
Taconic Design Engineering  
(Name)  
3125 Route 9W New Windsor NY 12553  
(Address)
- V. **Property Information:**  
Zone: R-4 Property Address in Question: 250 Lake Rd  
Lot Size: 1.9 Tax Map Number: Section 58 Block 5 Lot 1  
a. What other zones lie within 500 feet? N/A  
b. Is pending sale or lease subject to ZBA approval of this Application? NO  
c. When was property purchased by present owner? N/A  
d. Has property been subdivided previously? NO If so, When: N/A  
e. Has an Order to Remedy Violation been issued against the property by the  
Building/Zoning/Fire Inspector? N/A  
f. Is there any outside storage at the property now or is any proposed? NO

\*\*\*\*PLEASE NOTE:\*\*\*\*\*

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE  
OF SUBMITTAL.**

FOLLOWING YOUR PRELIMINARY MEETING, THE ZONING BOARD SECRETARY WILL ORDER YOUR "PUBLIC HEARING LIST" FROM THE ASSESSOR'S OFFICE.

1. WHEN THE ASSESSOR'S OFFICE NOTIFIES YOU THAT YOUR LIST IS READY, YOU MUST COME IN AND PAY THE BALANCE DUE FOR THE LIST. (THIS WILL BE PREPARED ON LABELS FOR YOUR CONVENIENCE).
2. PREPARE AN ENVELOPE (self-sealing envelopes are much appreciated) FOR EACH LABEL WITH YOUR RETURN ADDRESS AND A REGULAR \$.37 STAMP. BRING THE PREPARED ENVELOPES AND A COPY OF THE LIST TO THE ZONING BOARD SECRETARY FOR MAILING. YOUR PUBLIC HEARING DATE WILL BE SCHEDULED AT THIS TIME.

**NOTE:**

IF IT IS EASIER FOR YOU, YOU CAN BRING THE ENVELOPES WITH YOU WHEN YOU PICK UP AND PAY FOR YOUR LIST. YOU CAN PUT THE LABELS ON AT THAT TIME AND BRING THEM TO THE ZBA OFFICE FOR COMPLETION.

**NOTE:**

THE ZBA MEETS ON THE 2<sup>ND</sup> AND 4<sup>TH</sup> MONDAY OF EACH MONTH UNLESS A HOLIDAY FALLS ON THAT DATE. (JULY AND AUGUST - ONE MEETING PER MONTH ONLY)

**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**

**APPLICATION FOR VARIANCE - continued**

**VI. USE VARIANCE:**

Use Variance requested from New Windsor Zoning Local Law,

Section\_\_\_\_\_, Table of\_\_\_\_\_ Regs., Col. \_\_\_\_\_.

Describe proposal: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- VII. The legal standard for a "Use Variance" is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the Use Variance is granted. Also state any efforts you have made to alleviate the hardship other than this application.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**

**APPLICATION FOR VARIANCE - continued**

**VIII. AREA VARIANCE: (This information will be on your Building Department Denial form you receive)**

Area Variance requested from New Windsor Zoning Local Law,

	<u>Requirements</u> lot #1	<u>Proposed or Available</u> lot #1	<u>Variance Request</u> lot #1
	43,560 Gross	39,396sf.	41,200sf.
Min. Lot Area			N/A
Min. Lot Width			N/A
Reqd. Front Yd.			N/A
Reqd. Side Yd.			N/A
Reqd. Rear Yd.			N/A
Reqd. St Front*			N/A
Max. Bldg. Hgt.			N/A
Min. Floor Area*			N/A
Dev. Coverage*			N/A
Floor Area Ration**			N/A
Parking Area			N/A

\*Residential Districts Only

\*\*Non-Residential Districts Only

**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**

**APPLICATION FOR VARIANCE - continued**

- IX. In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

---

---

---

---

---

---

---

---

**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

**OWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**

**APPLICATION FOR VARIANCE - continued**

**X. SIGN VARIANCE:**

- (a) Variance requested from New Windsor Zoning Local Law,  
Section \_\_\_\_\_, Supplementary Sign Regulations

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign #1	_____	_____	_____
Sign #2	_____	_____	_____
Sign #3	_____	_____	_____
Sign #4	_____	_____	_____

- (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversized signs.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

- (c) What is total area in square feet of all signs on premises including signs on windows, face of building and freestanding signs \_\_\_\_\_?

**XI. INTERPRETATION:**

- (a) Interpretation requested of New Windsor Zoning Local Law,  
Section \_\_\_\_\_

- (b) Describe in detail the proposal before the Board:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**



**APPLICANT/OWNER PROXY STATEMENT**

**(for professional representation)**

for submittal to the:  
TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS

Daniel P. Koch, deposes and says that he resides  
(OWNER)  
at 100 Center St. P.O. Box 416 Vineyard Haven  
MA 02568 in the County of Dukes  
(OWNER'S ADDRESS)

and State of Massachusetts and that he is the owner of property tax map

(Sec. \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_)  
designation number (Sec. 58 Block 5 Lot 1) which is the premises described in

the foregoing application and that he authorizes:

Peggy Lapidus 100 Water View Terrace New Windsor NY 12553  
(Applicant Name & Address, if different from owner)

"Charles T. Brown, PE" Taconic Design Engineering, PLLC,  
(Name & Address of Professional Representative of Owner and/or Applicant)  
3125 Route 910, New Windsor,  
NY 12553

to make the foregoing application as described therein.

Date: 6/4/07

**\*\*** Daniel P. Koch  
Owner's Signature (MUST BE NOTARIZED)

Sworn to before me this:  
4 day of June 2007

Peggy Lapidus  
Applicant's Signature (If different than owner)

Kathy E. Graves  
Commission Expires 9/3/10  
Signature and Stamp of Notary

KATHY E. GRAVES  
Notary Public  
Commonwealth of Massachusetts  
My Commission Expires  
September 3, 2010  
Representative's Signature

**THIS FORM IS TO BE COMPLETED ONLY IF SOMEONE OTHER THAN THE PROPERTY OWNER WILL BE APPEARING AS REPRESENTATION OF THE OWNER AT THE ZBA MEETINGS.**

**\*\* PLEASE NOTE:**

**ONLY OWNER'S SIGNATURE MUST BE NOTARIZED.**

**XII. ADDITIONAL COMMENTS:**

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)
- 

**XIII. ATTACHMENTS REQUIRED:**

- ☐ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- ☐ Copy of site plan or survey (if available) showing the size and location of the lot, buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☐ Copies of signs with dimensions and location.
- ☐ Three checks: (each payable to the TOWN OF NEW WINDSOR)
- ☐ One in the amount of \$ 300.00 or 500.00 (escrow)
- ☐ One in the amount of \$ 50.00 or 150.00 (application fee)
- ☐ One in the amount of \$ 25.00 (Public Hearing List Deposit)
  
- ☐ Photographs of area that variance(s) is/are being requested for showing relationship to property lines (5 or 6) from several angles. (IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER - PLEASE SUBMIT FOUR (4) SETS OF THE PHOTOS.)

**XIV. AFFIDAVIT.**

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE )

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Sworn to before me this:

24 day of August 2007.

*Cheryl L. Canfield*

CHERYL L. CANFIELD  
Notary Public, State of New York  
Qualified in Orange County  
#01CA6073319  
Commission Expires April 22, 2010

Signature and Stamp of Notary

*Daniel P. Koch*

Owner's Signature (Notarized)

DANIEL P. KOCH

Owner's Name (Please Print)

Applicant's Signature (If not Owner)

**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

PEGGY LARIDUS  
100 WATERVIEW TERRACE  
NEW WINDSOR, NY 12553  
(845) 496-0216

HUDSON VALLEY  
FEDERAL CREDIT UNION  
155 BARRETT ROAD  
POUGHKEEPSIE, NY 12601  
(845) 793-2219

1329

PAY TO  
THE ORDER

Date: 5/30/2007

\$ \*\*25.00

DOLLARS

Town Of New Windsor

Twenty Five and 00/100

Memo deposit 250 lake rd

1 2 2 2 6 7 7 9 3 8 3 1 0 0 0 0 0 0 0 2 8 3 1 5 9 0 0 1 3 2 9

PEGGY LARIDUS  
100 WATERVIEW TERRACE  
NEW WINDSOR, NY 12553  
(845) 496-0216

HUDSON VALLEY  
FEDERAL CREDIT UNION  
155 BARRETT ROAD  
POUGHKEEPSIE, NY 12601  
(845) 793-2219

1328

PAY TO  
THE ORDER

Date: 5/30/2007

\$ \*\*300.00

DOLLARS

Town Of New Windsor

Three Hundred and 00/100

Memo escrow 250 lake rd

1 2 2 2 6 7 7 9 3 8 3 1 0 0 0 0 0 0 0 2 8 3 1 5 9 0 0 1 3 2 8

HUDSON VALLEY  
FEDERAL CREDIT UNION  
155 BARRETT ROAD  
POUGHKEEPSIE, NY 12601  
(845) 793-2219

PEGGY LARIDUS  
100 WATERVIEW TERRACE  
NEW WINDSOR, NY 12553  
(845) 496-0216

Town Of New Windsor  
Pay and Collect

escrow 250 lake rd

1 2 2 2 6 7 7 9 3 8 3 1 0 0 0 0 0 0 0 2 8 3 1 5 9 0 0 1 3 2 7

PROJECT I.D. NUMBER

0626 P6Y (Zoning)

617.21

SEQR

Appendix C

State Environmental Quality Review

## SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

## PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT/SPONSOR <u>Peggy Lapidus</u>	2. PROJECT NAME <u>Lapidus</u>
3. PROJECT LOCATION: Municipality <u>New Windsor</u> County <u>Orange</u>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map)  <u>250 Lake Road New Windsor, NY 12553</u>	
5. IS PROPOSED ACTION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY:  <u>2 lot subdivision using existing building and serviced by town sewer and drilled wells</u>	
7. AMOUNT OF LAND AFFECTED: Initially <u>1.9</u> acres Ultimately <u>1.9</u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If No, describe briefly  <u>Variance required for lot #1 gross area</u>	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:  <u>existing single family homes</u>	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency(s) and permit/approvals	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit/approval	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: <u>JONATHAN J. CELLA, P.E.</u>	Date: <u>8/24/07</u>
Signature: <u>[Signature]</u>	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER

**PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)**

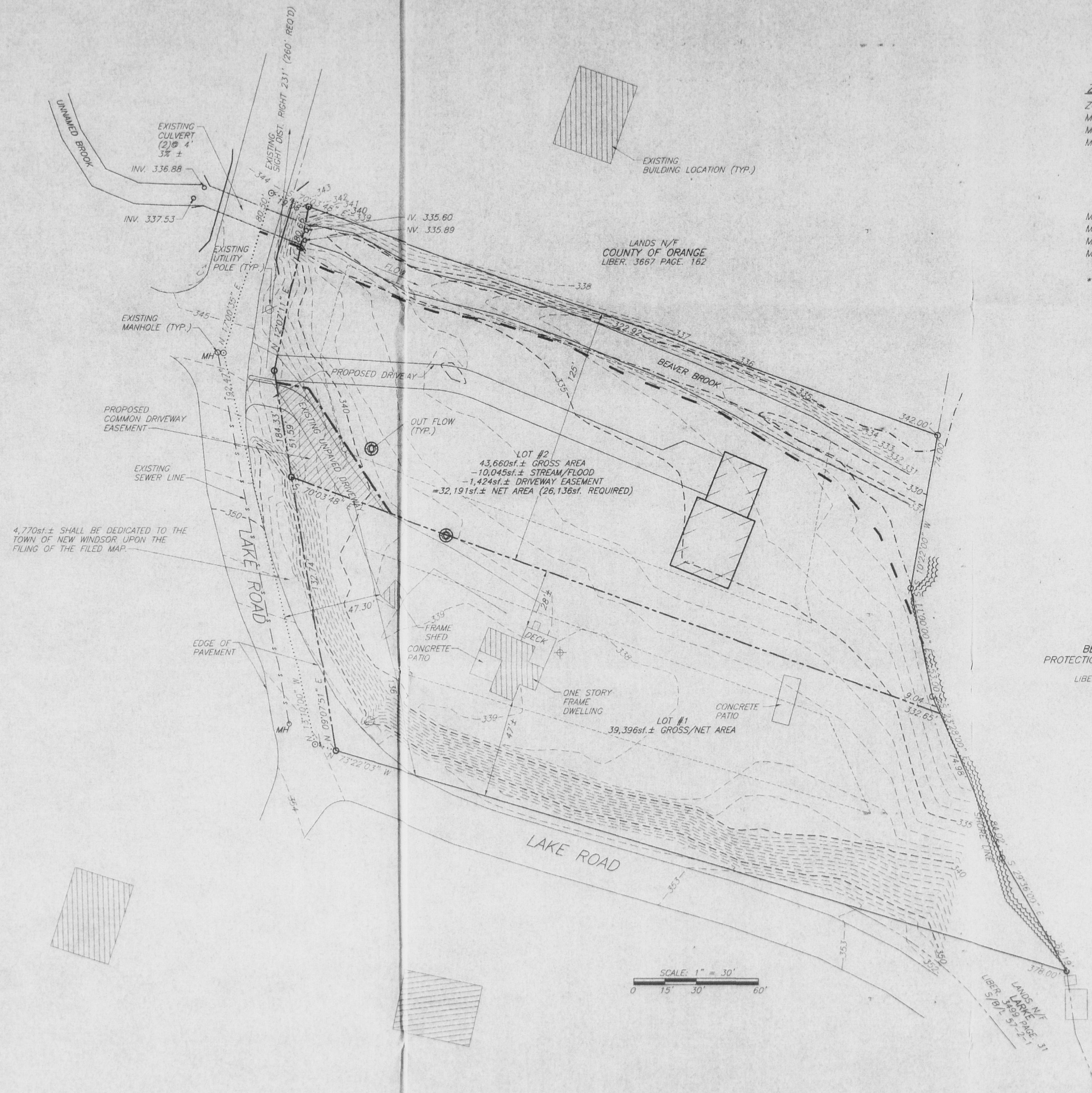
<p><b>A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12?</b> <input type="checkbox"/> Yes    <input type="checkbox"/> No</p>	<p>If yes, coordinate the review process and use the FULL EAF.</p>
<p><b>B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6?</b>    If No, a negative declaration may be superseded by another involved agency. <input type="checkbox"/> Yes    <input type="checkbox"/> No</p>	
<p><b>C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)</b></p> <p>C1. Existing air quality; surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:</p> <p>C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:</p> <p>C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:</p> <p>C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:</p> <p>C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:</p> <p>C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:</p> <p>C7. Other Impacts (including changes in use of either quantity or type of energy)? Explain briefly:</p>	
<p><b>D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?</b> <input type="checkbox"/> Yes    <input type="checkbox"/> No    If Yes, explain briefly</p>	

**PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)**

**INSTRUCTIONS:** For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

<p><input type="checkbox"/> Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.</p> <p><input type="checkbox"/> Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action <b>WILL NOT</b> result in any significant adverse environmental impacts <b>AND</b> provide on attachments as necessary, the reasons supporting this determination:</p>	
<p>_____ Name of Lead Agency</p>	
<p>_____ Print or Type Name of Responsible Officer in Lead Agency</p>	<p>_____ Title of Responsible Officer</p>
<p>_____ Signature of Responsible Officer in Lead Agency</p>	<p>_____ Signature of Preparer (If different from responsible officer)</p>
<p>_____ Date</p>	





#### ZONING SCHEDULE

ZONE: R-4  
MINIMUM LOT AREA (GROSS)  
MINIMUM LOT AREA (NET)(60% OF GROSS)  
MINIMUM YARDS (feet)  
FRONT  
REAR  
SIDE  
ONE  
BOTH  
MINIMUM LOT WIDTH (feet)  
MINIMUM STREET FRONTAGE (feet)  
MAXIMUM IMPERVIOUS COVERAGE (%)  
MAXIMUM HEIGHT  
HEIGHT (feet)

REQUIRED  
43,560 sf.  
26,136 sf.

LOT #1	LOT #2
PROPOSED 39,396sf. ± 39,396sf. ±	PROPOSED 43,660 sf. ± 32,191sf. ±
45'	45'min.
50'	50'min.
20'	20'min.
40'	40'min.
125'	125'
70'	141'
20%	20%max.
35'	35' MAX.
35' MAX.	35' MAX.

\* = VARIANCE REQUIRED

#### APPLICANT:

PEGGY LAPIDUS  
100 WATERVIEW TERRACE  
NEW WINDSOR, NY 12553

#### RECORD OWNER'S CONSENT NOTE:

THE UNDERSIGNED OWNERS OF THE PROPERTY HEREON STATE THAT THEY ARE FAMILIAR WITH THIS PLAN, ITS CONTENTS AND ITS LEGENDS AND HEREBY CONSENT TO ALL SAID TERMS AND CONDITIONS AS STATED HEREON AND TO THE FILING OF THIS PLAN IN THE OFFICE OF THE CLERK OF THE COUNTY OF ORANGE, IF SO REQUIRED.

DANIEL KOCH  
VINEYARD HAVEN, MA 02560

#### MAP REFERENCE

- ALL EXISTING PROPERTY LINES AND EXISTING FEATURES ARE PER A MAP ENTITLED "LAND SURVEY PREPARED FOR DANIEL KOCH" PERFORMED BY ANTHONY A. SORACE P.L.S. ON DECEMBER 21, 2002
- ALL EXISTING TOPOGRAPHY AND SIGHT DISTANCE ARE PER A TACONIC DESIGN CONSULTANTS FIELD SURVEY PERFORMED AND COMPLETED IN JANUARY 2007.

#### SEPTIC SYSTEM NOTE:

A SEPTIC SYSTEM/CONNECTION SHALL BE DESIGNED FOR EACH NEW LOT BEFORE A BUILDING PERMIT CAN BE ISSUED.

#### DISCLOSURE STATEMENT

PRIOR TO THE SALE, LEASE, PURCHASE, OR EXCHANGE OF PROPERTY ON THIS SITE WHICH IS WHOLLY OR PARTIALLY WITHIN AN IMMEDIATELY ADJACENT TO OR WITHIN 500 FEET OF A FARM OPERATION, THE PURCHASER OR LESSOR SHALL BE NOTIFIED OF SUCH FARM OPERATIONS WITH A COPY OF THE FOLLOWING NOTIFICATION.

IT IS THE POLICY OF THIS STATE AND THIS COMMUNITY TO CONSERVE, PROTECT AND ENCOURAGE THE DEVELOPMENT AND IMPROVEMENT OF AGRICULTURAL LAND FOR THE PRODUCTION OF FOOD, AND OTHER PRODUCTS, AND ALSO ITS NATURAL AND ECOLOGICAL VALUE. THIS NOTICE TO INFORM PROSPECTIVE RESIDENTS THAT THE PROPERTY THEY ARE ABOUT TO ACQUIRE LIES PARTIALLY OR WHOLLY WITHIN AN AGRICULTURAL DISTRICT OR WITHIN 500 FEET OF SUCH A DISTRICT AND THAT FARMING ACTIVITIES OCCUR WITHIN THE DISTRICT. SUCH FARMING ACTIVITIES MAY INCLUDE, BUT NOT LIMITED TO, ACTIVITIES THAT CAUSE NOISE, DUST AND ODORS.

#### LEGEND

- PROPERTY LINE EXISTING
- PROPERTY LINE EXISTING TO BE REMOVED
- PROPERTY LINE PROPOSED
- PROPERTY LINE ADJOINING
- SETBACKS
- EASEMENT
- WATER/POND/STREAM
- WELL EXISTING
- FLOOD BOUNDARY
- SEWER LINE EXISTING
- PROPOSED SINGLE FAMILY HOME

SCALE: 1" = 30'  
0 15' 30' 60'

AREA RESERVED FOR PLANNING BOARD

#### TACONIC DESIGN ENGINEERING, PLLC

3125 ROUTE 9W  
SUITE 201  
NEW WINDSOR, NY 12553  
(845)-569-8400  
(FAX)(845)-569-4583

ENGINEER

CHARLES T. BROWN, P.E.  
WILLIAM J. MOREAU, P.E.



#### PROPOSED SUBDIVISION SKETCH PLAN ENTITLED:

"LAPIDUS"

250 LAKE ROAD, S/B/L 58-5-1  
NEW WINDSOR, ORANGE COUNTY, NEW YORK

#### REVISIONS

REV.	DATE	BY	DESCRIPTION

DATE: 05/30/07 SCALE: 1" = 30' JOB NUMBER: 06261-PGY SHEET NUMBER: 1 OF 1

CALL BEFORE YOU DIG... IT'S THE LAW  
WHETHER YOU'RE LAYING A FOUNDATION FOR A BUILDING OR PLANTING A TREE, YOU MUST FIRST CHECK FOR THE EXISTENCE OF UNDERGROUND UTILITY LINES AND CABLES. IF YOU OR YOUR CONTRACTOR DISRUPT ANY OF THESE LINES, THE RESULTS CAN BE DANGEROUS - AND COSTLY - TO EVERYONE. CALL BEFORE YOU DIG, TOLL FREE, 1 800 272-4480 (IN NEW YORK CITY AND LONG ISLAND) OR 1 800 962-7962 (IN ALL OTHER AREAS OF THE STATE.)